

RESOLUTION NO. 2017-089

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, URGING ALL MEMBERS OF THE FLORIDA LEGISLATURE TO OPPOSE HOUSE BILL 17 AND SENATE BILL 1158, WHICH WOULD PREEMPT MUNICIPAL HOME RULE POWER, AS APPLIED TO BUSINESSES, PROFESSIONS, AND OCCUPATIONS; DIRECTING THE CITY CLERK TO TRANSMIT A CERTIFIED COPY OF THIS RESOLUTION TO GOVERNOR RICK SCOTT, THE FLORIDA SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE FLORIDA PRESIDENT OF THE SENATE, THE BROWARD LEAGUE OF CITIES, THE FLORIDA LEAGUE OF CITIES, AND THE BROWARD COUNTY LEGISLATIVE DELEGATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, cities are voluntarily created and chartered by their citizens as the embodiment of local self-determination; and

WHEREAS, in 1968, Florida voters amended the State Constitution to confer broad “Home Rule” powers to municipal government, under Article VIII, Section 2(b); and

WHEREAS, municipalities have the power to act for any valid municipal purpose except as prohibited by law; and

WHEREAS, a municipality’s ability to timely act on local problems and opportunities will be limited by House Bill 17 (“HB 17”) and Senate Bill 1158 (“SB 1158”); and

WHEREAS, HB 17 and SB 1158 contradict the will of the people of Florida, who expressed an unequivocal desire for broad “Home Rule” powers in their State Constitution; and

WHEREAS, HB 17 and SB 1158 undercut the intent of municipal citizens, who voted to incorporate their communities and exercise the broad “Home Rule” powers

granted by the Florida Constitution to govern themselves and, thereby, effectively address the unique concerns of their communities; and

WHEREAS, HB 17 and SB 1158 could impair municipal charter provisions specifically adopted and approved by local voters to define their preferred form of self-government and safeguard issues of perennial importance to their communities; and

WHEREAS, State legislators may find themselves spending increasing amounts of time arbitrating over local problems and legislating on local issues, and less time attending to pressing statewide needs; and

WHEREAS, the City of Coconut Creek's 2017 State Legislative Agenda supports the preservation of "Home Rule" and opposes any legislation that seeks to diminish powers granted to local government; and

WHEREAS, the City Commission believes the opposition of HB 17 and SB 1158 would be in the best interests of the residents and businesses of the City of Coconut Creek and the State of Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2: That the City Commission of the City of Coconut Creek urges all members of the Florida Legislature to oppose the adoption of HB 17 and SB 1158.

Section 3: That the City Commission further directs the City Clerk to transmit a certified copy of this Resolution to Governor Rick Scott, the Florida Speaker of the House of Representatives, the Florida President of the Senate, the Broward League of Cities, the Florida League of Cities, and the Broward County Legislative Delegation.

Section 4: That all Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

Section 5: That if any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this Resolution.

Section 6: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

Adopted this 9th day of March_____, 2017.

Mikkie Belvedere, Mayor

Attest:

Leslie Wallace May, City Clerk

Belvedere	<u>Aye</u>
Rydell	<u>Aye</u>
Sarbone	<u>Aye</u>
Tooley	<u>Aye</u>
Welch	<u>Aye</u>